



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-------------------------|-------------|----------------------|-----------------------|------------------|
| 09/847,943 | 05/02/2001 | Seth Leyman | P 276898 P/N 500.9240 | 6168 |
| 909 | 7590 | 11/14/2003 | EXAMINER | |
| PILLSBURY WINTHROP, LLP | | | VO, TIM T | |
| P.O. BOX 10500 | | | ART UNIT | |
| MCLEAN, VA 22102 | | | PAPER NUMBER | |
| | | | 2189 | |

DATE MAILED: 11/14/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/847,943

Applicant(s)

LEYMAN, SETH

Examiner

Tim T. Vo

Art Unit

2189

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 May 2001.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-10 is/are allowed.
- 6) ☒ Claim(s) 11 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 02 May 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
- a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

Art Unit: 2189

Part III DETAILED ACTION

Notice to Applicant(s)

This application has been examined. Claims 1-11 are pending.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. § 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

1. Claim 11 is rejected under 35 U.S.C. § 102(b) as being anticipated by Persinotti patent number 4,578,815.

As for claim 11, Persinotti teaches an interface comprising:

a plurality of voice operated transmit (VOX) circuits (see figure 2-3, 74, 76, 78, 80, 114, 116, 118 and 120),

a plurality of input/output ports, at least one among said input/output ports being configured and arranged to established at least one audio path (see figures 2-3 and column 5 lines 32-44, wherein I/O ports are connecting to the VOX circuits providing communications which including audio when communication with unit 62 as described in column 8 lines 32-40), and at least one control path between a corresponding one among the plurality of VOX circuits and self-powered two way radio (see figures 2-3 and

Art Unit: 2189

column 8 lines 32-67, wherein the multiplexer 94 controls the communication paths and the mobile unit 62 provides self-power two way radio by having function push-to-talk);

a switching matrix in electrical circuit with the plurality of VOX circuits (see figures 2-3, multiplexer 94), the switching matrix being configured and arranged to receive at least one received audio signal and to transmit at least one audio signal for broadcast (see figures 2-3 and column 8 lines 32-67, wherein the multiplexer 94 controls communication paths which includes audio signal when communicate with mobile unit 62), and

wherein the corresponding one among the plurality of VOX circuits is configured and arranged to receive the at least one audio signal for broadcast (see figures 2-3, VOICE circuits 70-80 and 112-120), and

wherein the corresponding one among the plurality of VOX circuits is further configured and arranged to transmit a keying signal along the at least one control path when an amplitude of the audio signal for broadcast exceeds a predetermined threshold (see column 2 lines 4-9, wherein the VOICE circuits is configured to communicate with the mobile unit 62 by having a push to talk keying function and also to improve communication by controlling frequency, phase overlapping), and

wherein the corresponding one among the plurality of VOX circuits is further configured and arranged to transmit signal based at least in part on the audio signal for broadcast along the audio path (see figures 2-3 and column 5 lines 32-44, wherein I/O ports are connecting to the VOX circuits providing communications which including

Art Unit: 2189

audio when communication with unit 62 and the multiplexer 94 controls the communication paths which described in column 8 lines 32-40).

Examiner's Statement of Reasons for Allowance

2. Claims 1-10 are allowable over the prior of records.
3. The following is an Examiner's statement of reasons for the indication of allowable subject matter: Claim 1 is allowable over the prior art of record because the Examiner found neither prior art cited in its entirety, nor based on the prior art, found any motivation to combine any of the said prior arts. Prior art fails to teach wherein the plurality of VOX circuits is configured and arranged to prevent, during a period of assertion of a channel activation signal to the switching matrix, assertion of any other of the plurality of channel activation signals to the switching matrix, and wherein each among the plurality of VOX circuits is further configured and arranged assert the corresponding push to talk (PTT) command to the corresponding I/O port when a noncorresponding channel activation signal is asserted.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

Art Unit: 2189

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tim T. Vo whose telephone number is 703-308-5862.

The examiner can normally be reached on 7:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mark Rinehart can be reached on 703-305-4815. The fax phone number for the organization where this application or proceeding is assigned is 703-746-7239.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-2100.

A handwritten signature in black ink, appearing to read 'Tim Vo', with a long horizontal stroke extending to the left.

Tim T. Vo
Examiner
Art Unit 2189

T.V
11/12/03